

Message Text

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ACTION EB-08

INFO OCT-01 ARA-14 ISO-00 SCS-06 CA-01 L-03 H-02 HA-05

DODE-00 SSO-00 /040 W

-----050203 172218Z /63

O 182202Z APR 78

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC IMMEDIATE 0821

UNCLAS SAN JOSE 1684

INFO AR/CEN

SCS

E.O. 11652: N/A

TAGS: EIND

SUBJ: POSSIBLE NATIONALIZATION OF THE VESSEL RUBY E

REF: TELCON CONSUL CHEVEZ AND RICHARD JOHE EB/MA

DR T C ELLSWORTH, UNITED STATES CITIZEN, PRESENTLY RESIDING APART-
ADO 10335, SAN JOSE, COSTA RICA, TELEPHONE 23 51 34 HAS PROVIDED
THE EMBASSY WITH THE FOLLOWING INFORMATION REGARDING THE SEIZURE OF
HIS 165 FISHING VESSEL.

1. NAME: RUBY E - CONSOLIDATED CERTIFICATE OF ENROLLMENT AND
LICENSE CERTIFICATE NUMBER 69 OFFICIAL NUMBER 298 028. DR ELLSWORTH
SAID THAT HIS SHIP WAS SEIZED ON APRIL 4, 1978 UNDER COSTA RICA LAW
3421 DATED OCTOBER 6, 1964, WHICH BASICALLY STATES THAT ANY VEHICLE
IN COSTA RICA OVER SEVENTY DAYS WHICH DOES NOT RECEIVE PROPER PER-
MISSION FOR EXTENSION OF TIME, SHALL AUTOMATICALLY BECOME THE
PROPERTY OF CUSTOMS. ACCORDING TO HIM, CUSTOMS IS AUCTIONING HIS
SHIP ON WEDNESDAY, APRIL 19 UNDER THIS LAW. HE FURTHER CLAIMS THAT
HIS SHIP WAS SEIZED WITHOUT ANY NOTIFICATION OF ANY ANCHORAGE,
CUSTOMS, OR OTHER MONIES DUE, ETC, A VIOLATION OF INTERNATIONAL
LAW. SH SHOWED CONSUL A NOTIFICATION IN THE OFFICIAL LEGAL PAPER
(LA GAZETA) OF THE AUCTION. DR ELLSWORTH FURTHER STATES THAT THE
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COSTA RICAN DEPARTMENT OF AGRICUTLURE IS CURRENTLY PROCESSING PAPERS
FOR THE SHIP TO ENTER TMHE COSTA RICAN FISHING FLLET AND THAT AGENCY
INFORMED HIM THAT ALL HIS PAPERS WERE IN ORDER.

2. ACCORDING TO DR ELLSWORTH, HE WAS TOLD BY THE HEAD OF CUSTOMS
THIS AFTERNOON THAT THE UNITED STATES GOVERNMENT SHOULD REQUEST
POSTPONEMENT OF THE SALE OF THE SHIP TO THE MINISTRY OF FOREIGN

AFFAIRS. A LETTER OF SUCH WOULD TEMPORARILY CANCEL THE AUCTION SET FOR WEDNESDAY.

3. THE SHIP IS PRESENTLY DISABLED AND IN NEED OF REPAIRS. DR ELLSWORTH STATES THAT HE SHOULD ENJOY THE PRIVILIDGES UNDER INTERNATIONAL MARTIME LAW, I.E., HE SHOULD BE GIVEN SAFE ANCHORAGE.

4. HE FURTHER STATES THAT TECHNICALLY THE SHIP BELONGS TO THE UNITED STATES DEPARTMENT OF DEFENSE AND THUS STILL PROPERTY OF THE USG.

5. EMBASSY HAS NOT HAD TIME TO VERIFY MUCH OF WHAT DR ELLSWORTH REPORTS, BUT IS FORWARDING THIS INFORMATION AT THE REQUEST OF EB/MA DUE TO THE APPARENT URGENCY OF THIS CASE. PLEASE ADVISE WEISSMAN

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NATIONALIZATION, SHIP DETENTION, RUBY E, FISHING BOATS
Control Number: n/a
Copy: SINGLE
Draft Date: 18 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978SANJO01684
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780164-0878
Format: TEL
From: SAN JOSE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780445/aaaablqm.tel
Line Count: 76
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b38a07ac-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2932480
Secure: OPEN
Status: NATIVE
Subject: POSSIBLE NATIONALIZATION OF THE VESSEL RUBY E
TAGS: EIND, EWWT, CR
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/b38a07ac-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014